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BEFORE THE
ILLINOIS COMMERCE COMMISSION

IN THE MATTER OF:)
)
ILLINOIS COMMERCE COMMISSION)
ON ITS OWN MOTION)
)
vs.) No. 11-0592
)
AMEREN ILLINOIS COMPANY)
d/b/a AMEREN ILLINOIS)
)
Investigation into compliance)
with the efficiency standard)
requirement of Section 8-103)
of the Public Utilities Act.)

Chicago, Illinois
September 21, 2011

Met pursuant to notice at 1:30 p.m.

BEFORE:

Claudia Sainsot, Administrative Law Judge

1 APPEARANCES:

2 MR. MATTHEW L. HARVEY
3 160 North LaSalle Street
4 Suite C-800
5 Chicago, Illinois 60601
6 (312) 793-2877
7 Appearing for ICC Staff;

8 MR. MARK W. DE MONTE
9 77 West Wacker Drive
10 Suite 3500
11 Chicago, Illinois 60601
12 (312) 782-3939
13 Appearing for Ameren Illinois Company.

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26 SULLIVAN REPORTING COMPANY, by
27 Julia C. Kurtis, CSR

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I N D E X

<u>Witnesses:</u>	<u>Direct</u>	<u>Cross</u>	<u>Re-direct</u>	<u>Re-cross</u>	<u>By Examiner</u>
None					

E X H I B I T S

<u>Number</u>	<u>For Identification</u>	<u>In Evidence</u>
None		

1 JUDGE SAINSOT: By the authority vested in me
2 by the Illinois Commerce Commission, I now call
3 Docket No. 11-0592. It is the matter of the Illinois
4 Commerce Commission On Its Own Motion versus Ameren
5 Illinois Company d/b/a Ameren Illinois, and it is an
6 investigation into compliance with the efficiency
7 standard requirement of Section 8-301 (sic) of the
8 Public Utilities Act.

9 Will the parties identify themselves
10 for the record, please.

11 MR. HARVEY: For the Illinois Commerce
12 Commission Staff, Matthew L. Harvey, 160 North
13 LaSalle Street, Suite C-800, Chicago, Illinois 60601.
14 I note for the record that present telephonically for
15 the Staff are Jennifer Hinman, Scott Tolsdorf and
16 David Brightwell and perhaps other persons unknown to
17 me.

18 MR. DE MONTE: Your Honor, Mark De Monte on
19 behalf of Ameren Illinois Company, Jones Day, 77 West
20 Wacker, 3500, Chicago, Illinois 60601. And I believe
21 there is at least one person -- there is at least one
22 person from the Company on the line, Karen Canfield

1 (phonetic), and potentially other ones.

2 JUDGE SAINSOT: Okay. Parties have engaged in
3 an off-the-record discussion and they have agreed to
4 the following schedule:

5 Ameren will file and serve --
6 electronically is fine -- its reports -- all of its
7 energy efficiency reports within 30 days of the date
8 upon which the last one becomes available to Ameren.
9 Then 60 days after that --

10 MR. HARVEY: If I might make a point of
11 clarification here, your Honor. I apologize for
12 interrupting.

13 JUDGE SAINSOT: No problem.

14 MR. HARVEY: I think 60 days from the reports
15 becoming available.

16 JUDGE SAINSOT: Oh, okay. Okay. 60 days and
17 not 30 days when all of the reports become available.

18 And then 60 days after that, Ameren
19 will file its direct testimony. And we will have a
20 status and see where we are in this docket on
21 April 17th at 11:00 a.m., and that's a Tuesday.

22 Is there anything I should add or

1 change?

2 MR. HARVEY: I think I may have -- Mr. De Monte
3 and I may have not have fully understood each other.

4 MR. DE MONTE: I believe that the reports will
5 be filed 30 days after the last one becomes available
6 and direct testimony will be 60 days thereafter.

7 JUDGE SAINSOT: Yeah. That makes more sense
8 because the testimony is more work than the reports
9 that you don't have to do anything with.

10 MR. DE MONTE: Right.

11 MR. HARVEY: My only concern at that point is
12 that -- well --

13 MS. HINMAN: There might not be enough time for
14 discovery before the status.

15 JUDGE SAINSOT: There might not be enough time
16 for what?

17 MR. HARVEY: If -- if we kick the testimonial
18 date 60 days down the line -- or, more accurately,
19 30 days down the line -- and I apologize. I
20 obviously failed to be -- you know, make myself
21 understood or understand what Mr. De Monte was
22 saying. It will be fairly difficult for us to be

1 able to -- well, let me put this way:

2 60 days from the date of filing of the

3 reports, which is January, will put us into March.

4 In the event that -- for that reason, if we're going

5 to do that -- and I'm not sure we fundamentally

6 object to doing it -- but it would probably be more

7 useful to have a longer status date.

8 JUDGE SAINSOT: Yeah. I -- I think I

9 understand what you're saying is that within a month,

10 you might not have that much discovery back at

11 that --

12 MR. HARVEY: It would be difficult for us to

13 formulate an intelligent statement about where we --

14 you know, what our position was with respect to the

15 case at that point and --

16 JUDGE SAINSOT: Well, that's not necess- --

17 necessary to status, but I could see where you

18 wouldn't even begin -- possibly not even be able to

19 begin to know how much work you have to do.

20 MR. HARVEY: Well, I think we would -- I

21 think -- and, again, I may have failed to understand,

22 you know, what my whole plan was here.

1 But if our hope is to schedule the
2 remainder of the case at the next status hearing, I
3 think it's important that we have a good handle on
4 the discovery.

5 JUDGE SAINSOT: Yeah. So what about May?

6 MR. HARVEY: I --

7 MR. DE MONTE: Fine.

8 MR. HARVEY: I think that's what we're going to
9 have to do.

10 JUDGE SAINSOT: Okay. Let me just see.

11 MR. DE MONTE: Your Honor, the other suggestion
12 is if we leave the April 17th vacant and for some
13 reason we need more time, we can ask for more time at
14 that point.

15 JUDGE SAINSOT: Well, it's always good to have
16 a little pressure on lawyers.

17 MR. HARVEY: Well, I -- while I agree that
18 that's -- in my case, it's almost required, I --

19 JUDGE SAINSOT: I think -- I think he's right.
20 It's just too new at that point. I think he has a
21 point.

22 MR. HARVEY: And I'm not convinced that there

1 would be any utility to it.

2 JUDGE SAINSOT: Okay. How about May 15th --

3 that's a Tuesday -- at 11:00 o'clock a.m.?

4 MR. HARVEY: Can we do that?

5 MS. HINMAN: Yes.

6 JUDGE SAINSOT: Okay. Anything further?

7 Okay. Have a nice afternoon.

8 MR. HARVEY: Thank you very much, your Honor.

9 MR. DE MONTE: Thank you.

10 (Whereupon, the above-entitled

11 matter was continued to

12 May 15, 2012, at 11:00 a.m.)

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